

Appl. No. 10/706,074
Amdt dated February 28, 2007
Reply to Office Action of December 1, 2006
Att. Docket No.: 1279-339D1

Filing date: November 12, 2003
Applicant Name: V. Reggie Edgerton
Examiner: Nguyen, Huong Q
Art Unit: 3736

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REMARKS/ARGUMENTS

Claims 28-49 are pending. Claims 44-49 have been withdrawn.

The objection to claim 39 is believed to be unfounded. Line (a) of claim 39 refers to flexormuscles whereas line (b) refers to extensormuscles. However, for sake of clarity, claim 39 has been amended to refer in one line to flexormuscles and extensormuscles.

Claim 28 has been amended to recite, *inter alia*, a method for assisting and easing the rehabilitation of a patient with an injury affecting locomotion, including spinal cord, stroke, or traumatic brain injuries people to regain walking capabilities comprising the steps of:

- (a) providing an individually adjustable automated body weight suspension training system;
- (b) adjusting said training system to an individual's legs;
- (c) operating multiple sensors wherein said sensors provide feedback, to adjust the automated body weight suspension training system, and
- (d) correcting pressure and guidance to said individual.

Support for these amendments can be found on paragraph [0009] lines 1-3, and on paragraphs [0021-0022].

The rejection of claims 28-43 under 35 USC § 112:

Applicants have amended the preamble of claim 28 to now recite "A method for assisting and easing the rehabilitation of a patient with an injury affecting locomotion, including spinal cord, stroke, or traumatic brain injuries to regain walking capabilities comprising the steps of:" This clarification is believed to overcome the rejection of claim 28, and those claims depending upon it.

Applicants have amended claim 31 so that it now depends on claim 30, and provides the required antecedent basis for "said linkage system." Further, claim 31 has been amended to now recite a profile of bipedal locomotion and standing in a sagittal

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plane, from a fixed base. These amendments are believed to overcome Examiner's rejection of claim 31 based on a lack of antecedent basis.

Applicants have amended claim 33 to now depend upon claim 30, and so that it recites "providing the exoskeleton with a computer control system; providing control algorithms for the exoskeleton linkages' computer control system and utilizing said control algorithms for "intelligent" control for biped locomotion wherein said algorithms distinguish between the amount and direction of the force/torque generated by the patient, by contact of the patient's feet with the treadmill, and by the action of a programmable stepping device. These amendments are believed to overcome Examiner's rejection of claim 33 based on a lack of antecedent basis.

The 35 USC § 102(b) rejection:

The rejections of claim 28 under 35 USC 102(b) as being anticipated by Iijima et al. (US 5,190,507) is respectively traversed. To anticipate a claim, the reference must teach every element of the claim. Amended claim 28 recites, *inter alia*, a method comprising the steps of adjusting a training system to an individual's legs and correcting pressure and guidance to said individual. Iijima et al. fail to teach both of these requirements. For instance, Iijima et al. disclose only a method utilizing a suspension device 6 with side pads 7 (see column 2, lines 51-52, and Figure 1) - there is no mention of adjusting said training system to an individual's legs. Moreover, Iijima et al. disclose only a method which appears to be provide some feedback to an individual's weight/suspension force (see column 5 lines 31-48) - there is no mention of correcting pressure and guidance to said individual. Accordingly, the rejection of this claim should be withdrawn.

The 35 USC § 103(a) rejection:

Applicants respectively traverses the rejections of claims 28-31, 35, 38, and 41-43 under 35 U.S.C. 103(a) as being unpatentable over Ferrati (US 5,961,541) in view of Iijima et al. The references alone, or in combination, do not disclose or suggest,

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a method of correcting pressure and guidance to an individual. As noted by the Examiner, Ferrati does not disclose multiple sensors so as to provide corrective adjustments to their automated body weight suspension training system. Also, Iijima et al. only disclose sensors that provide feedback to correct for the suspension weight of an individual but not for guidance. Accordingly, these rejections should now be withdrawn.

In view of the foregoing, applicant believes that the application is in condition for allowance and respectively solicits a Notice of Allowance.

The Commissioner is hereby authorized to charge payment of any fees required associated with this communication or credit any overpayment to Deposit Account No. 50-3881. If an extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No. 50-3881. A duplicate copy of this paper is enclosed.

Dated: February 28, 2007

Respectfully submitted,

By 

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